

AQAA
DAR COUNCIL ACTIVITY REPORT
04 September 1997

FAR/DFARS Cases Discussed:

97-026	SIC Code and Size Standard Appeals: Addresses incongruities between the FAR and SBA's regulation.	Agreed to proposed rule.
97-004	Reform of Affirmative Action in Federal Government Procurement: Provides guidance for SDB concerns to reform affirmative action in federal procurement established by the Supreme Court in Adarand Constructors, Inc. v. Pena, 115 S. Ct. 2097 (1995).	Agreed to draft final rule.
97-D018	DFARS Part 215 Rewrite: Conforms DFARS to FAR Part 15 rewrite.	Agreed to proposed rule. Reclama by 09/10/97.
97-D011	Distribution of Contracting Financing Payments: Implements revisions to Section G of the Schedule to provide instructions adequate to permit the paying office to distribute the contract financing payments in proportions. OSD supports use of matrix which shows relationship between each contract line item and each ACRN.	Agreed to interim rule, as edited.
97-H727-01	Organizational Conflict of Interest Reform: A Multi-Industry Working Group proposes revisions to FAR 9.5 to re-focus the regulations away from risk avoidance toward risk mitigation as a primary response to organizational conflict of interest issues. The Industry group believes that the guidance should be revisited in the context of contracting officer empowerment and acquisition streamlining, especially in today's environment of business consolidations, mergers, economic conversions, and defense downsizing. The Debarment, Suspension, and Business Ethics (DS&BE) Committee was tasked with determining whether or not revisions to the FAR 9.5 language are necessary.	Chair, DS&BE Cmte met with Council to discuss industry working group concerns. The Council decided that no changes will be made to the coverage, unless the proponents can come up with concrete examples of problems encountered with the coverage.

NOTE 1: The Director Defense Procurement has accepted the nomination of COL Francis H. Esposito, USAF, to serve as Chair, Environmental Committee on the DAR Council. COL Esposito replaces Mr. James Carr, GC.